

Western Kentucky University
TopSCHOLAR®

Undergraduate Research Award

University Experience/University Libraries


2-20-2012

Should Marijuana Be Decriminalized? [An Annotated Bibliography]

Christina M. Costa

Western Kentucky University, christina.costa183@topper.wku.edu

Follow this and additional works at: http://digitalcommons.wku.edu/ueul_award

 Part of the [Health Policy Commons](#), [Public Health Education and Promotion Commons](#), [Public Policy Commons](#), and the [Social Welfare Commons](#)

Recommended Citation

Costa, Christina M., "Should Marijuana Be Decriminalized? [An Annotated Bibliography]" (2012). *Undergraduate Research Award*. Paper 7.
http://digitalcommons.wku.edu/ueul_award/7

This Other is brought to you for free and open access by TopSCHOLAR®. It has been accepted for inclusion in Undergraduate Research Award by an authorized administrator of TopSCHOLAR®. For more information, please contact connie.foster@wku.edu.

Christina Costa
UC 175-003
Paula Trafton
2/20/2012

Should marijuana be decriminalized?

Marijuana is considered to be the oldest cultivated nonfood plant in the world, and has been used for medical, commercial, religious, and recreational uses. It is only in the past hundred years that the attitude towards marijuana began to change, specifically in the United States. Marijuana use spread widely in the 1920s, and was thought to be linked to the 1930s crime wave. Although marijuana was later cleared of the charge of being criminogenic, the damage was done; the idea was already deeply embedded in the minds of Americans. Marijuana began to be more and more restricted.

However, a growing number of people are questioning whether restriction was and is the right course of action to take. Why is it even necessary for the government to "protect" us from marijuana? If we do need protection, is the current strategy working? Many people feel that prohibition of marijuana is counter-productive to the stated goals of the laws. Also, some people are even questioning if the prohibition as it is, is a violation of our liberties.

Blumenson, Eric, and Eva Nilsen. "Liberty Lost: The Moral Case for Marijuana Law Reform." *Indiana Law Journal* 85.1 (2010): 279-99. Web.
<<http://heinonline.org/HOL/Page?handle=hein.journals/indana85&id=281&collection=journals&index=>>.

This excellent article analyzes whether the laws restricting marijuana are a violation of our liberties. This is something that is not often brought up when discussing if marijuana should be decriminalized, and so it is a valuable article for researching the subject. This article goes in depth about whether marijuana causes all the harm it is said to. Also, it goes in depth on if marijuana does do the purported harm, if this is sufficient to justify the punishments we inflict on the people who use the drug.

Chepesiuk, Ronald. "Marijuana." *The War on Drugs: An International Encyclopedia*. Santa Barbara, CA: ABC-CLIO, 1999. 129-30. Print.

The article in this reference source provides an overview of what marijuana is and its ancient history. Also, the author gives a more in depth overview of marijuana's history in the United States and the back and forth that has occurred in both public opinion and laws. This article also mentions "a commission report in New York cleared [marijuana] of the charge of being "criminogenic" and attested to its relative harmlessness." The author also states that the monetary worth of the amount of marijuana being produced in the United States in 1995 was estimated to be 4 to 24 billion dollars.

O'Brien, Robert, Sidney Cohen, Glen Evans, and James Fine. "Marijuana." *The Encyclopedia of Drug Abuse*. 2nd ed. New York: Facts on File, 1992. 175-79. Print.

The article in this reference source also offers an overview of what marijuana is, but provides a more thorough overview of its ancient history than the above reference source. What is truly excellent about this article is that it examines the effects of marijuana usage. Also, the article discusses how the effects are highly subjective and dependent on a number of variables.

Duros, Matthew R., and Patrick A. Langan. "Felony Sentences in State Courts, 2000." *Bureau of Justice Statistics*. June 2003. Web. 19 Feb. 2012.
<<http://bjsdata.ojp.usdoj.gov/content/pub/pdf/fssc00.pdf>>.

This is another excellent article in that it shows many different charts of statistics of those sentenced for drug offences, both trafficking and possession. Unfortunately, this article does not specify marijuana from other drugs. However, the article has good information on sentence length if convicted and actual time served in both jail and prison. Also this article has information on case processing time and the number of convictions increasing.

Greenwald, Glenn. "Drug Decriminalization in Portugal: Lessons for Creating Fair and Successful Drug Policies." *The Cato Institute*. Cato Institute, 2 Apr. 2009. Web. 19 Feb. 2012.
<http://www.cato.org/pub_display.php?pub_id=10080>.

This very excellent article examines what exactly Portugal's decriminalization policy is, how it works, and the law enforcement's reactions to it. The author states that the fear of Portugal becoming a "drug tourism" center was unfounded. The author also examines why Portugal enacted drug decriminalization, and states that the reason was not because people did not view drug abuse as a problem. Actually, people felt that the criminalization of drugs was making the abuse of drugs worse. This feeling was backed up by a 1998 report by the Comissão para a Estratégia Nacional de Combate à Droga (Commission for a National Anti-Drug Strategy), which recommended decriminalization as the course of action. Also, the author examines the effects of the decriminalization and how drug usage has either gone down or has only increased slightly, which is in contrast to the fears and predictions of decriminalization's opponents. The author concludes that Portugal's decriminalization policy has been a resounding success across nearly all ways of measuring, including, drug usage rates, drug related deaths, reports of HIV and AIDS among drug users, and more. The author suggests that other countries should look to Portugal for making future drug related policies, because the data shows that drug decriminalization is the correct course of action to take.

Husak, Douglas N. "For Drug Legalization." *The Legalization of Drugs*. New York: Cambridge UP, 2005. 3-105. Print. For and Against.

This very excellent book analyzes the meaning of the terms decriminalize, drugs, legalization, harm-reduction versus use-reduction, and many more. The author goes in depth in his analyzing of whether the government should be punishing people for drug use and at one point, likens that idea to punishing people for eating unhealthy food. The author also examines in depth the arguments for criminalizing drugs, and analyzes why these arguments are faulty in their reasoning. This book also examines the value of drug use and the author explains why the drug war is counterproductive to the war's goals.

"Marijuana Arrests at All-Time High, Far Exceed Violent Crime Arrests." *Stop the Drug War*. Ed. Phillip S. Smith. DRCNet Foundation, 29 Oct. 2004. Web. 18 Feb. 2012.
<<http://stopthedrugwar.org/chronicle-old/360/arrests.shtml>>.

This article provides information about the growing number of arrests for marijuana possession in contrast to violent crime arrests. The author provides quotes from knowledgeable people talking about how the drug war is not working, and is actually being detrimental to combating more serious crime. The article also mentions the huge drain that this ineffectual process is on the American taxpayers.